

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 6021  
Democratic National Committee and )  
Andrew Tobias, in his official capacity )  
as treasurer; John Kerry; John Edwards; )  
Kerry for President 2004, Inc. and )  
David Thorne, in his official capacity as )  
treasurer; Kerry-Edwards 2004, Inc. and )  
David Thorne, in his official capacity as )  
treasurer; America Coming Together; )  
The Ballot Project; Uniting People for )  
Victory; The National Progress Fund; )  
and Americans for Jobs )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission  
executive session on April 13, 2010, do hereby certify that the Commission decided  
by a vote of 6-0 to take the following actions in MUR 6021:

1. Find no reason to believe that the Democratic National Committee, and Andrew Tobias, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 434(b).
2. Find no reason to believe that Kerry for President 2004, Inc. and David Thorne, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b, 441a(f) and 434(b).
3. Find no reason to believe that Kerry-Edwards 2004, Inc. and David Thorne, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b, 441a(f) and 434(b).
4. Find no reason to believe that John Kerry violated the Federal Election Campaign Act of 1971, as amended, or the Commission's regulations.
5. Find no reason to believe that America Coming Together violated 2 U.S.C. §§ 434(b) and 441a(a)(1)(A) with respect to the allegation that it made an undisclosed excessive in-kind contribution.
6. Find no reason to believe America Coming Together violated 2 U.S.C. § 433.

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7. Dismiss the complaint as to The Ballot Project.
8. Dismiss the complaint as to National Progress Fund, Uniting People for Victory, and Americans for Jobs.
9. Dismiss the complaint as to America Coming Together with respect to the allegation that it violated 2 U.S.C. § 434 by failing to report ballot expenditures.
10. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated November 30, 2009, subject to revisions pursuant to the meeting discussion, including any necessary technical and conforming amendments, and circulate the revised Factual and Legal Analyses to the Commission on an informational basis.
11. Approve the appropriate letters.
12. Close the MUR 6021 file as to all Respondents and other persons and entities named in the complaint, as supplemented.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and Weintraub  
voted affirmatively for the decision.

Attest:

April 16, 2010  
Date

Darlene Harris  
Darlene Harris  
Acting Secretary of the Commission

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